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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,260	11/01/2001	Charles G. Williamson	09741620/0203	8355

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EXAMINER	
MOORE, JAMES K	

ART UNIT	PAPER NUMBER
2686	

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12

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/001,260	Applicant(s) WILLIAMSON, CHARLES G.	
	Examiner James K Moore	Art Unit 2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 January 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5 and 7-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5 and 7-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 November 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 20, 2004 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-3, 5, 7-9, and 16-18 have been considered but are moot in view of the new ground(s) of rejection.

3. The indicated allowability of claims 10-15 and 19-26 is withdrawn in view of the newly discovered reference(s) to Heredia et al. (U.S. Patent No. 6,539,210). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1-3, 9-11, 14-16, 19, 20 and 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hewitt et al. (U.S. Patent Application Publication US 2001/0034219 A1) in view of Louderback (article titled "Kerbango Debuts Internet Boom Box"), Yamamoto et al. (U.S. Patent No. 6,166,778), and Heredia et al. (U.S. Patent No. 6,539,210).

Regarding claim 1, Hewitt discloses a system comprising a first network device (PC 170) having a graphical interface, and a radio (radio appliance 150). An association between a first set of configuration data (presets) and second set of configuration data (radio stations) are stored in a user profile in a remote database (subscriber database 183), and the first network device is used to access the association data. The radio inherently comprises a digital controller that communicates with the remote database to retrieve and apply the user profile to facilitate operation of the radio. See paragraphs 14, 20, 21, and 24. Hewitt does not disclose that the graphical interface displays an association page that establishes the association and displays it in a list format, or that the system comprises a location identifier representative of a geographic location of the radio for identifying the second set of configuration data.

However, Louderback discloses a system to remotely configure a radio in which a computer displays an association page that establishes an association between radio stations and presets. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hewitt with Louderback, such that the graphical interface

displays an association page that establishes the association, in order to provide a user of the radio with a user-friendly device for establishing the association data.

In addition, Yamamoto discloses a system for programming channel presets for a broadcast receiver. Yamamoto discloses an association page that establishes an association list between channels and presets. Yamamoto discloses that the list allows the user to visually recognize the correspondence of the preset channels and corresponding preset numbers, thereby reduced errors in recognition. See Figure 7 and col. 15, lines 8-40. It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify Hewitt in view of Louderback with Yamamoto, such that the association page displays the association between the radio stations and the presets in the form of a list, in order to allow the user to visually recognize their correspondence and thereby reduce errors in recognition.

Furthermore, Heredia discloses a system comprising a radio and a location identifier (zip code) representing a geographic location of the radio that is used to identify radio stations (by providing call letters). See Abstract and col. 4, lines 22-54. It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify the combination of Hewitt, Loudberback, and Yamamoto, such that the system comprises a location identifier representative of a geographic location of the radio for identifying the second set of configuration data, so that the user always knows which radio station he is listening to.

Regarding claim 2, Hewitt in view of Louderback, Yamamoto and Heredia teaches all of the limitations of claim 1, and Hewitt also discloses that the first set of

configuration data is preset button identifiers, and that the second set is radio stations. See paragraph 24.

Regarding claim 3, Hewitt in view of Louderback, Yamamoto and Heredia teaches all of the limitations of claim 2, and Hewitt also discloses that a preset button located at the radio is associated with a radio station in response to receipt of the association data at the radio. See paragraph 24.

Regarding claim 9, Hewitt in view of Louderback and Yamamoto teaches all of the limitations of claim 1, and Hewitt also discloses that the graphical interface may be a web browser. See paragraph 20.

Regarding claims 10 and 19, Hewitt discloses a method comprising retrieving a user profile by an inherent digital controller in a radio (radio appliance 150) that is able to communicate with a remote database (subscriber database 183) to facilitate the operation of the radio. The user profile is located in the remote database and stores an association between a first set of configuration data (presets) and a second set of configuration data (radio stations). Hewitt also discloses a first network device (PC 170) having a graphical interface. See paragraphs 14, 20, 21, and 24. Hewitt does not disclose that the graphical interface displays an association page that establishes the association and displays it in a list format, or that a location identifier representative of a location of the radio is determined and used to identify the second set of configuration data.

However, Louderback discloses a system to remotely configure a radio in which a computer displays an association page that establishes an association between radio

stations and presets. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hewitt with Louderback, such that the graphical interface displays an association page that establishes the association, in order to provide a user of the radio with a user-friendly device for establishing the association data.

In addition, Yamamoto discloses a system for programming channel presets for a broadcast receiver. Yamamoto discloses an association page that establishes an association list between channels and presets. Yamamoto discloses that the list allows the user to visually recognize the correspondence of the preset channels and corresponding preset numbers, thereby reduced errors in recognition. See Figure 7 and col. 15, lines 8-40. It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify Hewitt in view of Louderback with Yamamoto, such that the association page displays the association between the radio stations and the presets in the form of a list, in order to allow the user to visually recognize their correspondence and thereby reduce errors in recognition.

Furthermore, Heredia discloses a system comprising a radio and a location identifier (zip code) representing a geographic location of the radio that is used to identify radio stations (by providing call letters). See Abstract and col. 4, lines 22-54. It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify the combination of Hewitt, Loudberback, and Yamamoto, such that a location identifier representative of a location of the radio is determined and used to identify the second set of configuration data, so that the user always knows which radio station he is listening to.

Regarding claims 11 and 20, Hewitt in view of Loudberback, Yamamoto and Heredia teaches all of the limitations of claims 10 and 19, Heredia discloses that the location identifier is sent to a remote database (see col. 4, lines 38-54), and Louderback discloses that the second set of configuration data is received at the first network device.

Regarding claims 14 and 23, Hewitt in view of Louderback, Yamamoto and Heredia teaches all of the limitations of claims 10 and 19, and Hewitt also discloses that the first set of configuration data is preset button identifiers, and that the second set is radio stations. See paragraph 24.

Regarding claims 15 and 24, Hewitt in view of Louderback, Yamamoto and Heredia teaches all of the limitations of claims 14 and 23, and Hewitt also discloses that a first preset button is configured in the radio to select the radio station upon the selection of the first preset radio button. See paragraph 24.

Regarding claim 25 and 26, Hewitt in view of Louderback, Yamamoto and Heredia teaches all of the limitations of claims 10 and 19, and Heredia also discloses that the location identifier may be entered by a user at a graphical interface. See col. 5, lines 1-4.

6. Claims 5, 7, 13 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hewitt in view of Louderback, Yamamoto, and Heredia as applied to claims 1, 10 and 19 above, and further in view of Steinmark (U.S. Patent Application Publication US 2003/0001727 A1).

Regarding claims 5 and 13, Hewitt in view of Louderback and Yamamoto teaches all of the limitations of claims 1 and 10, but does not teach that the system comprises an alarm configuration page displayed in the graphical interface that establishes an alarm time list with an associated alarm type in the user profile. However, Steinmark teaches this feature. Steinmark discloses an alarm system which comprises an enhanced alarm clock (101) which may be incorporated in a radio. A user may access an alarm configuration page (web site) which is inherently displayed in a graphical interface that establishes an alarm time list with an associated alarm type (audible, visual, vibrating alarm) in a user profile. See paragraphs 20, 22, 24, 31, and 32. Steinmark also teaches that by storing the alarm information in a remote user profile, the alarm times may be adjusted and enhanced by taking into account other conditions such as weather or traffic, and the user can maximize his time. See paragraph 57. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hewitt in view of Louderback and Yamamoto with Steinmark, such that the system comprises an alarm configuration page displayed in the graphical interface that establishes an alarm time list with an associated alarm type in the user profile, in order to provide a user with enhanced alarm features which allow him to maximize his time.

Regarding claim 7, Hewitt in view of Louderback, Yamamoto, Heredia and Steinmark teaches all of the limitations of claim 5, and Steinmark also discloses that an alarm clock in the radio is set in response to receipt of the alarm list and the associated alarm type from the user profile. See paragraph 30.

7. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hewitt in view of Louderback, Yamamoto, Heredia and Steinmark as applied to claim 5 above, and further in view of Wachob et al. (U.S. Patent No. 5,334,975).

Regarding claim 8, Hewitt in view of Louderback, Yamamoto, Heredia and Steinmark teaches all of the limitations of claim 5, but does not teach that receipt of a time synchronization message at the radio results in the alarm clock being set. However, Wachob teaches a system in which receipt of a time synchronization message at a radio result in an internal clock being set. This eliminates the need for a consumer to set the clock himself. See col. 1, lines 35-64. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hewitt in view of Louderback, Yamamoto, Heredia and Steinmark with Wachob, such that receipt of a time synchronization message at the radio results in the alarm clock being set, in order to eliminate the need for a user to set the clock himself.

8. Claims 12 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hewitt in view of Louderback, Yamamoto and Heredia as applied to claims 10 and 19 above, and further in view of Wachob et al.

Regarding claim 12, Hewitt in view of Louderback, Yamamoto and Heredia teaches all of the limitations of claim 10, but does not teach that a time synchronization message is generated at a computing device, the time synchronization message is sent to the radio, and a clock in the radio is set in response to reception of the time

synchronization message. However, Wachob teaches a system in which receipt of a time synchronization message is generated at a computing device, the time synchronization message is sent to the radio, and a clock in the radio is set in response to reception of the time synchronization message. This eliminates the need for a consumer to set the clock himself. See col. 1, lines 35-64. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hewitt in view of Louderback, Yamamoto and Heredia with Wachob, such that a time synchronization message is generated at a computing device, the time synchronization message is sent to the radio, and a clock in the radio is set in response to reception of the time synchronization message, in order to eliminate the need for a user to set the clock himself.

9. Claim 16 is rejected under 35 U.S.C. 102(a) as being anticipated by Hewitt et al. in view of Heredia et al.

Regarding claim 16, Hewitt discloses a data structure in a user profile located in a database (subscriber database 183). The data structure comprises a user profile identifier, preset button identifiers linked to the user profile identifier, and an association between each of the preset button identifiers and a radio station. See paragraphs 14, 21, and 24. Hewitt does not disclose that the radio stations are identified based on a location identifier representative of a geographic location of the radio. However, Heredia discloses a system comprising a radio and a location identifier (zip code) representing a geographic location of the radio that is used to identify radio stations (by

providing call letters). See Abstract and col. 4, lines 22-54. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hewitt with Heredia, such that the radio stations are identified based on a location identifier representative of a geographic location of the radio, so that the user always knows which radio station he is listening to.

10. Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hewitt et al. in view of Heredia et al., and further in view of Steinmark.

Regarding claim 17, Hewitt in view of Heredia teaches all of the limitations of claim 16, but does not teach that the data structure comprises a plurality of alarm times linked to the user profile identifier and an alarm type linked to each of the plurality of alarm times. However, Steinmark discloses an alarm system which comprises an enhanced alarm clock (101) which may be incorporated in a radio. A user accesses a data structure in a user profile in a database, which comprises a plurality of alarm times linked to a user profile identifier (login name) and an alarm type linked to each of the alarm times. See paragraphs 29 and 32. Steinmark also teaches that by storing the alarm information in a remote user profile, the alarm times may be adjusted and enhanced by taking into account other conditions such as weather or traffic, and the user can maximize his time. See paragraph 57. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Hewitt and Heredia with Steinmark, such that the data structure comprises a plurality of alarm times linked to the user profile identifier and an alarm type linked to each of the plurality

of alarm times, in order to provide a user with enhanced alarm features which allow him to maximize his time.

Regarding claim 18, Hewitt in view of Heredia and Steinmark teaches all of the limitations of claim 17, and Steinmark also discloses that the alarm type for a radio may be a radio station. See paragraph 4.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ken Moore, whose telephone number is (703) 308-6042. The examiner can normally be reached on Monday-Friday from 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold, can be reached at (703) 305-4379.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Ken Moore
JKM
4/17/04

CHARLES APPIAH
PRIMARY EXAMINER